

ALLYING WITH KUFFAR AGAINST **AHLUL BAGHI**

(TRANSGRESSING MUSLIM REBELS)

Shaykh 'Abdul Latīf Ibn 'Abdul Rahmān Ibn Hassan

“As for a muslim trying to gain victory against a Bāghī (transgressing muslim rebel) with the help of a Mushrik, then no one has stated this, except the one who made a bizarre statement, and based it upon Qiyās (analogy), and he did not look at the reasons for the ruling, and the comprehensive correlation between the Foundations and Branches, and whoever pounces upon the likes of these strange bizarre statements, and resorted to quoting it and basing his verdict upon it, then he has followed the (strange) exceptions (of the Sharī'ah), and disregarded the Asl (Foundation) that is affirmed by the Salaf of the Ummah and its Imāms which is taken from the Hadīth of al-Hassan and the Hadīth of al-Nu'mān Ibn Bashīr” [Majmū' al-Rasā'il wal-Masā'il al-Najdiyyah (3/68)]

SHAYKH HAMUD AL-UQLA

Al-Qawl ul-Mukhtār Fī Hukm il-Isti'ānatu Bil-Kuffār (page 60-63)

Rayat Al-Uqab



SHAYKH HAMŪD AL-'UQLĀ'

The Ruling on allying with the Kuffār against a Muslim State or Group, such as Ahlal Baghī (transgressing muslim rebels).

Ahlal Baghī are a group amongst the Muslims who revolt against a valid Imām with an acceptable Ta'wīl, and they are not considered Kuffār for merely revolting, because they did not revolt (against the Imām) except with an acceptable Ta'wīl, rather they are not considered Fussāq according to some Scholars.

Imām Taqī al-Dīn Ibn Taymiyyah said what follows: “But if the Bāghī (aggressor) made Ijtihād and had Ta'wīl, and it doesn't appear to him that he's a Bāghī, infact he believes that he's upon the Haqq, even though he's mistaken in what he believes, him being called "Bāghīyan" doesn't necessitate him being sinful, let alone necessitate him being a Fāsiq. And those who say to fight the Bughāt that have Ta'wīl mention: With the command of fighting them, our fighting is to repel the harm of their aggression, not a punishment for them, rather it is to prevent transgression, and they (i.e. The Scholars) mention that they remain upon integrity, they do not become Fussāq” [1].

And what was used as proof by those who said that Ahlal Baghī aren't Fussāq is Allāh's statement: “And if two factions among the believers should fight, then make settlement between the two. But if one of them oppresses the other, then fight against the one that oppresses until it returns to the ordinance of Allah. And if it returns, then make settlement between them in justice and act justly.

Indeed, Allah loves those who act justly. The believers are but brothers, so make settlement between your brothers. And fear Allah that you may receive mercy. ” [2].

The significance from the Āyāt is that He said: “The believers are but brothers, so make settlement between your brothers. ”

Moreover, if the Bughāt revolted against the Imām, and this is their situation, it's obligatory to call them (back to Allāh's command) and asked them what they are irritated by him (i.e. the ruler), so if they mention an oppression, he (i.e. the Imām) would remove it, and if they mention a misconception, he would (also) remove it,

and if they remained revolting (against the Imām) after that, he would take refuge in Allāh and fought them, and it's not permissible for him to seek assistance from the Kuffār to kill them, just as it's not permissible to ally with the Kuffār against fighting a Muslim State which has some dispute or difference between each other's leader, because by allying with the Kuffār, it is given authority for them over the Muslims, and it's not permissible for the Kāfir to gain authority over the Muslim:

“And never will Allah give the disbelievers over the believers a way [to overcome them]. ” [3].

And there's an agreement of those whose statements are taking into consideration from the Scholars of the Ummah and its Fuqahā', that it's not permissible for a Muslim Ruler to seek assistance from a Kāfir State against the Muslims in any circumstance whatsoever, and that is because of the following reasons:

1) What we have previously mentioned of the texts from the Qur'ān and Sunnah, and statements of the Scholars from not allowing allying with the Kuffār against the Kuffār, so if this is the correct view - I mean, the impermissibility for the Muslims to ally with the Kuffār against a Kāfir state – then it would be more deserving to be impermissible to ally with them (i.e. Kuffār) against a Muslim State.

[Note: The Shaykh wrote 20 pages showing why it's Harām to ally with the Kuffār against a Kāfir State].

2) The Kuffār are enemies to the Muslims, an enmity of 'Aqīdah and Religion, and it's well known that if the Kuffār are able to fight the Muslims, they would seek revenge from them, and completely eradicate them from what they have instilled (against the Muslims) from Hatred and Enmity. [4].

Allāh says: “If they gain dominance over you, they would be to you as enemies and extend against you their hands and their tongues with evil, and they wish you would disbelieve. ” [5].

Allāh says: “O you who have believed, do not take as intimates those other than yourselves, for they will not spare you [any] ruin. They wish you would have hardship. Hatred has already appeared from their mouths, and what their breasts conceal is greater - [till Allāh said] – But when they are alone, they bite their fingertips at you in rage. ” [6].

And Allāh says: “Those who disbelieve wish that you would neglect your weapons and your baggage so they could come down upon you in one [single] attack” [7].

3) And with regards to Ahl al Baghī, then the reason behind the permissibility of fighting them is to deter them and return them back to the Tā'ah (obedience to the Imām), not to kill them and wipe them out, and by this, it becomes known that there's no need for the Kuffār (to assist us), so it's not permissible to seek their assistance against them (i.e. the rebels).

4) That allying with the Kuffār in that situation is alliance to them, and inclining towards them; And Allāh has said: “And do not incline toward those who do wrong, lest you be touched by the Fire. ” [8].

5) Moreover, certainly seeking assistance from them (i.e. the Kuffār) gives some of the Muslims reinforcement and strength over others, and igniting a war between them, as a motive for them to return disputes back to the leadership and power, and that is something which the Sharī'ah doesn't approve of whatsoever, rather he must call the Muslims in that situation towards reconciliation if they were all seekers of the truth or power or leadership, so if they one of the two warring parties is in the right, then what is intended by fighting the other party is to deter its transgression, not to wipe it out, and that's only achieved without seeking help from the Kuffār.

6) And seeking assistance from the Kuffār gives them empowerment in breaking the strength and authority of the Muslims, and putting an end to it, rather it could result in wiping them (i.e. the muslims) out or driving them out of their lands & seizing it, and sufficient is history as an example of what we're saying, for verily the

Muslims in Andalus for instance, an enormous Fitnah occurred between them, and some of them sought help from the Christians against their Muslim Brothers, to the extent where all of them were perished, and the authority of the Muslims was removed, along with the rule of Allāh from before and after.

7) Seeking their assistance (i.e. the Kuffār) is also allowing them to get involved within the private affairs of the Muslims, and looking at the secrets of the Muslims and their areas of weakness and strength, the matter which could make chiefs and rulers appeal to them, infact the matter could reach having those (Kuffār) to assemble their armies and weapons in the lands of the Muslims under the pretext of maintaining security and settling disputes, and granting victory for the weak and oppressed, and that is merely from poor conduct and management of referring to them (i.e. the kuffār) for aid and victory, (initiated) by those who have a disease in their hearts amongst the Muslims. [9].

And some of the Scholars have mentioned that from the forms of seeking assistance from the Kuffār against the transgressing muslim rebels is (Major) Kufr (i.e. If the laws of Kufr replace the laws of Islām) [10].

Imām Abū Muhammad Ibn Hazm mentioned in al-Muhallah:

“And as for whoever's campaign was done out of zealousness from Ahlal Thughūr (those who defend the borders of the State) amongst the Muslims, so he sought assistance from the Mushrikīn al-Harbiyyīn, and he unleashed their hands to kill whoever disagrees with him from the Muslims, or taking their property, or enslaving them, so if he had the upper hand, and the Kuffār were in compliance with him, then he is ruined in Fusūq (corrupt major sins), and he wouldn't be a Kāfir by that, because he didn't come with anything that necessitates his Kufr from the Qur'ān or Ijmā', but if the ruling of the Kuffār was enforced upon it (i.e. the land that gets taken over replacing the Sharī'ah), then he becomes a Kāfir by that based upon what we mentioned, and if they were equal, wherein no ruling is enforced over the other, so we would not see him as a Kāfir by that, and Allāh knows best” [11].

And this ruling, i.e. the impermissibility of seeking assistance from the Kuffār includes the Kuffār al- Harbiyyīn, Ahlal Dhimmah, and Murtaddīn.

Imām Abū Muhammad 'Alī Ibn Hazm also mentioned:

“Is it allowed to seek assistance against the transgressing muslim rebels from Ahlal Harb or Ahlal Dhimmah or other transgressing muslim rebels, Abū Muhammad (i.e. Ibn Hazm), may Allāh have mercy upon him said: The people have differed over this, so a group of Scholars have said it's not permissible to seek assistance against them (i.e. the rebels) from a Harbī or Dhimmī, nor by someone who declares fighting them as permissible when they retreat, and this is the statement of Al-Shāfi'ī, may Allāh be pleased with him, and we have mentioned in Kitāb al-Jihād the statement of the Messenger of Allāh:

{Verily, we do not seek assistance from a Mushrik}. [12]

And this is a general impermissibility for seeking their assistance in governance or fighting or something that deals with anything, except for what a consensus has been reported pertaining the permissibility of seeking their assistance, such as giving directions (to a place etc) or renting or fulfilling a need and other than that, which doesn't incur from it humbling oneself (to the Kuffār), and the Mushrik is exclusive to the Dhimmī and Harbī” [13].

But as for those that are affiliated to the people of knowledge who say it's permissible to seek assistance from the Kuffār to fight against transgressing muslim rebels in a case of necessity, then he has no Hujjah, nor any proof from the Qur'ān, nor Sunnah, nor an authentic Athar (narration from Sahābah & Tābi'in).

Shaykh 'Abdul Latīf Ibn 'Abdul Rahmān Ibn Hassan Āl al-Shaykh said:

“As for a muslim trying to gain victory against a Bāghī (transgressing muslim rebel) with the help of a Mushrik, then no one has stated this, except the one who made a bizarre statement, and based it upon Qiyās (analogy), and he did not look at the reasons for the ruling, and the comprehensive correlation between the Foundations and Branches, and whoever pounces upon the likes of these strange bizarre statements, and resorted to quoting it and basing his verdict upon it, then he has followed the (strange) exceptions (of the Sharī'ah), and disregarded the Asl (Foundation) that is affirmed by the Salaf of the Ummah and its Imāms which is taken from the Hadīth of al-Hassan and the Hadīth of al-Nu'mān Ibn Bashīr” [14].

End Of Shaykh Hamud Al-Uqla Words

Al-Qawl ul-Mukhtār Fī Hukm il-Isti'ānati Bil-Kuffār (page 62-63)

Translated By Brother AbuBakr At-Tarablusi

(References)

[1] Al-Fatāwah (35/76).

[2] Sūrat al-Hujarāt (9-10).

[3] Sūrat al-Nisā' (141).

[4] Just like what happened to the muslim population in 'Irāq, when the Kuffār amongst the Americans and British gained power over them, due to some of the rulers seeking their assistance, for verily they had demolished 'Irāq and its forces, and made plagues befall upon its people, so this muslim population started to suffer from diseases, and lack of food and medicine, and that is all the outcome of these disbelieving nations gaining power over this muslim population, due to that Isti'ānah (seeking of assistance), and asking them for support and victory.

[5] Sūrat al-Mumtahinah (2).

[6] Sūrat Āli 'Imrān (118-119).

[7] Sūrat al-Nisā' (102).

[8] Sūrat Hūd (113).

[9] Refer to: al-Isti'ānah (page 299).

[10] And that is in a situation where the rule of the Kuffār is enforced over those sought assistance against and dominant (over the rule of Islām).

[11] Al-Muhallah (11/200), Issue: 2198.

[12] Al-Muhallah (11/112), Issue: 2158.

[13] Narrated by Muslim (1817) and Abū Dāwud (2732).

[14] Majmū' al-Rasā'il wal-Masā'il al-Najdiyyah (3/68).

THOSE WHO ALLOWED ALLYING WITH KUFFAR AGAINST AHLUL BAGHI

As for those from Ahnaf & others allowed Allying with kuffar against Ahlul Baghi (Muslim Rebels) then their qiyas was based upon two conditions which must be fulfilled as explained by Shaykh Hamud Al-Uqla:

First Reason: Daroorah as most of them joined Darurah with Ikrah. (e.g Ibn Hazm)

Second Reason: Muslims Should be more Dominant & Powerful then Kuffar & Kuffar are in compliance with Muslims & subjected to their Mercy as explained by Ibn Hazm in Al-Muhalla (11/200) So the reasoning behind this Qiyas was that Muslims were under real necessity reached to level of Ikrah from the threat of Ahlul Baghi. In this case they allowed to take Help from Kuffar against Ahlul Baghi based upon the condition that Kuffar are subjected to Muslims & Muslims are more Powerful than Kuffar.

However, this Qiyas is Batil & rejected as it has no basis in Quran Hadith Ijmā' & Athar of Salaf.

As explained by Shaykh Hamud Al-Uql [Al-Qawl ul-Mukhtar Fi Hukm il-Isti'ānati Bil-Kuffar Page 63] & Shaykh 'Abdul Latif Ibn 'Abdul Rahmān Ibn Hassan [Majmū' al-Rasā'il walMasā'il al-Najdiyyah (3/68)]

This Qiyas is also against the Ijma of Salaf recorded in Jāmi al-'Ulūm Wal-Hikam by Imām ibn Rajab explained by Shaykh Abu Sufyan As-Sulami [1] However those who allowed this were excused as they were considering this to be Ikrāh Like those who allowed Tahakum to Taghut based on Ikrāh So Seeker of knowledge should read about these issues & it's explanation from Ulama Rabaniyin to save himself from Deception of Sururiya & Madhkaliya.

Reference

[1] Shaykh Abu Sufyan As-Sulami explained the Traits of Ghulat Al-Murjah:

The consensus of the Salaf which was quoted by Imām Ibn Rajab al-Hanbalī in Jāmi' al-'Ulūm wal-Hikam & others, the Ijmā' of the Salaf that being forced in harming other muslims such as killing them & similar to this **isn't considered 'ikrāh'** [coercion]. Now, they have abolished this Ijmā' as well, and one of the worst crimes

that certain groups amongst Murji'ah have made is justifying spying against the Muslimīn for the Kuffār and harming the Muslims to assist the Kuffār, and this is Apostasy from the religion, Walā Hawla Walā Quwata ilā Billāh.

The consensus of the Salaf in the Apostasy of supporting and assisting the Kuffār against the Muslims; Believing that major Walā' (alliance/friendship) with the Kuffār is not major Kufr, unless the person internalises a Kufr intention, such as wishing to aid the religion of Kufr, or to destroy Allāh's Religion, etc. So if one were to lead the crusade against Islām, head it, support it by wealth and blood, he would still be a Muslim, until he pronounces the internalised intentions of Kufr. So they do not make the act itself Kufr, until this innovated condition is proven.

SHAYKH NASR AL-FAHD

Misconception Of Sururiya & Madhkaliya : Assisting the Kuffar is Two Types

From the flimsy misconceptions that some have confused the Muslims with is their statement: "Assisting the Kuffar against the Muslims is of two categories:

The First One: What is Kufr and that is Mudhaharah of the Kuffar against the Muslims for the sake of the Kufr of the Kafirīn and the Islām of the Muslims. The **Second One:** What is allowed, nay commanded and that is assisting the Kafir if a Muslim wrongs him so that justice may be reached."

The response to this flimsy misconception is from angles:

The First Angle: This division is from the cleverness of the speaker and he has no precedent therein, and in Allāh we seek assistance.

The Second Angle: When the Mufti delivers a verdict to the common people, he places the textual evidences in the current situation, and this is what is called Tahqiq al-Manat. It is not his job to place categories that only add confusion to the common folk. For that reason, what was sought was speech concerning the issue that is being asked about, and that is clarifying the ruling upon entering into the alliance with the Kuffar against the Afghān Muslims, not transferring (the answer) to a categorization that none have proceeded him in.

The **Third Angle** It is to be said: if someone inquired about slaughtering for other than Allāh and he answered: "It is of two categories:

One: If he intended to worship other than Allāh by that slaughtering then it is Kufr.

Two: If he intended by that other than worship then it is allowed."

And if he was to divide prostration to an idol, supplicating to the idol, or any other act from the things the nullify (one's Islām) be they action or speech based, if he was to divide them into these two categories as well there would be no difference between them (as divisions) and this invented division – with the falsehood of each - this is because these two actions (slaughtering for other than Allāh and Mudhaharah of the Kuffar against the Muslims) are both Kufr with their mere performance by the person.

And this categorization reminds me of the invented categorizations of the scholars of the grave worshippers, whom the Imāms of the Da'wah from Najd were tried with, may Allāh have mercy upon all of them.

The Fourth Angle: He mentioned these two categories for Mudhaharah and left off the basis for the issue that is: Mudhaharah of the Kuffar against the Muslims out of raghbah or rahbah or its likes (**I preferred to leave the two words above untranslated for the sake of clarity. Raghbah literally means a strong desire or fervor, and Rahbah literally means fear or dread that moves one to action**) The basis of Mudhabarah and that which the evidence has appeared with is this category that he did not mention, as the Most High mentioned in the ayah about Mudbabarah:

Allah Said: O you who believe! Take not the Jews and the Christians as allies; they are but allies to one another. And if any amongst you takes them as allies then surely he is one of them. Verily, Allāh guides not those people who are the wrongdoers. And you see those in whose hearts there is a disease (of hypocrisy), they hurry to their friendship, saying: "We fear lest some misfortune of a disaster may befall us." Perhaps Allāh may bring a victory or a decision according to His Will. Then they will become regretful for what they have been keeping as a secret in themselves. **Surah al-Ma'idah 51-52**

Allāh the Glorified mentioned that the reason behind the Mudhaharah of these Kuffar is that they feared a disaster and He did not mention that that was for the sake for their Kufr.

Not only did the companion of this categorization leave the basis for this issue not mentioning it, he also mentioned two false categories that are not from Mudhabarah at all as it shall be made clear in:

The Fifth Angle

Both of the two categories are false. That is made clear in the following:

As for the First Category: He made the Mudhaharab that is disbelief that which is for the sake of the Kufr of the Kafir and the Islām of the Muslim. This is false from various angles:

The First Angle: Desire for the Kafir for the sake of his Kufr is Kufr (itself) even if he himself did not speak or do anything. It is but the extreme Murji'ah, who refer the matters that bring) Kufr both from speech and action to the beliefs" of those who hold this view.

The Second Angle: This is opposed to the detailed texts that have already been mentioned. They (the textual evidences) do not attach Kufr except to taking them as allies therefore, the presence of Tawalli, necessitates the presence of Kufr. So if the one who does Tawalli of them does so only for the sake of their Kufr then that is compounded Kufr, the basis of which is love of the Kuffar and Mudhaharah toward them. The textual evidences and the statements of the scholars related to this have already been mentioned in the First Area of Research so refer to it.

The Third Angle: This is also at odds with and opposed to the historical events wherein the scholars of Islām delivered legal verdicts concerning this. There is not to be found anyone who assisted the Mushrikun against the Muslims doing so for the sake of their Din. On the contrary, either they would assist them out of fear of them, or out of desire and craving for power, or out of desire for wealth or its likes. Even with that, the scholars of Islām delivered legal verdicts pronouncing the Kufr of those. Contemplate the condition of the Muslims that went out with the Mushrikun out of compulsion in al-Badr and how it was allowed for the Muslims to kill them and the scholars differed regarding Takfir of them with the presence of compulsion, the details of which having already proceeded. See the speech of Shaykh ul-Islām rahimahullab) concerning those that assisted the Tartars against the Muslims wherein he issued a legal verdict pronouncing his the person who did that) apostasy even if he claimed compulsion, which is in al-Fatawa (28/539) as well as in al-Furu'

(9/163). Also see the speech of the two Shaykhs, Sulayman al-ash-Shaykh and Hamad ibn *Atiq concerning the one who assist the Mushrikun whilst hating them and loving the Muslims!

The Fourth Angle: The People of Knowledge held that Mudhaharah of the Kuffar against the Muslims as Kufr by itself and they did not place as a condition for it that it is done for the sake of the Kufr of the Kafir, and the quote of this has already proceeded. Nay, some of them have been quoted as saying that he has disbelieved even if he loved the Muslims and hated the Mushrikun. From that:

The statement of Shaykh Muhammad ibn 'Abdil-Wahhāb (rahimahullab):

"Know that the evidences for Takfir of the righteous Muslim if he associates partners with Allāh or ended up with (joined) with the Mushrikūn against the Muwahhidun, even if he did not commit Shirk, are too numerous to account for – from the speech of Allāh, the speech of His Messenger and the speech of the People of Knowledge, all of them." [Durar as Sanniyyah (10/8)]

Shaykh 'Abdul-Latif ibn 'Abdir-Rahmān al-ash-Shaykh said:

"A person could hate Shirk and love Tawhid however, deficiency comes to him from the angle of not having Barā'ah from the people of Shirk and abandoning Muwalat towards the people of Tawhid and giving them victory. In that case he will be following his desires, entering into Shirk from branches that destroy his Din and what it built by it) - abandoning from Tawhid both fundamentals and branches. His Iman that he is pleased with does not stand with it. So, he does not love and hate for Allāh. He does not ally and oppose for the Glory of the One who created him and made him straight and all of this is taken from the testimony of La ilaha illa Allah." [[Durar as Sanniyyah (8/396)]

Shaykh Hamad ibn 'Atiq said:

"Verily, Mudhaharah of the Mushrikun, guiding them to the sensitive points of the Muslims, defending them with the tongue, and being pleased with what they are upon" – all of these are Mukkafirah. Therefore, whoever these issue out of, without the compulsion that we mentioned, then he is an apostate, even if with that he hates the Kuffar and loves the Muslims. [Ad Difa an Ahl Sunnah Wal Ittiba Page 31]

Read "Exposition Regarding the Disbelief of the One Who Assist Americans" for More Details

MUDHĀHARAH (ALLYING & SUPPORTING] IS FROM ASLUDEEN

Shaykh Nasir Al-Fahd (Hafidaullah) Said: Shaykh Hamud Al-Uqla (Rahimaullah) & Shaykh Ali Al-Khudayr (Hafidaullah) aided him in that:

Verily, Mudhaharah [allying & supporting] is from the Foundations of Tawhid, and it is from the greatest Foundations of Disavowal and Kufr Bit Tāghūt, and from the greatest Foundations of Millat Ibrāhīm, which is hating the Kuffar & showing enmity to them, and based upon this, indeed assisting and helping them (the Kuffār] against the Muslims proves two dangerous things;

A) Removal of loyalty towards the believers: With proof that he gives support [to the Kuffar] against them, and assists in killing them, breaking them and humiliating them

B) Removal of disavowal from the Kuffār: Verily, assisting the Kuffar is proof of having loyalty towards them, exalting them, supporting them, strengthening them, with what it incurs in humiliating the Muslims and gaining the upper hand over them And because of that, these two Foundations (Walā' & Barā'] have been demolished from him, and these two Foundations are not excused by ignorance nor interpretation.

{Translated By Brother AbuBakr at-Tarablusi}